

1-1 By: Flores (Senate Sponsor - Armbrister) H.B. No. 1358
1-2 (In the Senate - Received from the House May 5, 2005;
1-3 May 8, 2005, read first time and referred to Committee on Natural
1-4 Resources; May 18, 2005, reported favorably by the following vote:
1-5 Yeas 8, Nays 0; May 18, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the jurisdiction of the Texas Commission on
1-9 Environmental Quality over certain water supply or sewer service
1-10 corporations.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter A, Chapter 13, Water Code, is amended
1-13 by adding Section 13.004 to read as follows:

1-14 Sec. 13.004. JURISDICTION OF COMMISSION OVER CERTAIN WATER
1-15 SUPPLY OR SEWER SERVICE CORPORATIONS. (a) Notwithstanding any
1-16 other law, the commission has the same jurisdiction over a water
1-17 supply or sewer service corporation that the commission has under
1-18 this chapter over a water and sewer utility if the commission finds
1-19 that the water supply or sewer service corporation:

1-20 (1) is failing to conduct annual or special meetings
1-21 in compliance with Section 67.007; or

1-22 (2) is operating in a manner that does not comply with
1-23 the requirements for classifications as a nonprofit water supply or
1-24 sewer service corporation prescribed by Sections 13.002(11) and
1-25 (24).

1-26 (b) If the water supply or sewer service corporation
1-27 voluntarily converts to a special utility district operating under
1-28 Chapter 65, the commission's jurisdiction provided by this section
1-29 ends.

1-30 SECTION 2. This Act takes effect immediately if it receives
1-31 a vote of two-thirds of all the members elected to each house, as
1-32 provided by Section 39, Article III, Texas Constitution. If this
1-33 Act does not receive the vote necessary for immediate effect, this
1-34 Act takes effect September 1, 2005.

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